



Federal Communications Commission
Washington, D.C. 20554

FCC MAIL ROOM
May 13 2 05 PM '05

May 12, 2005

DA 05-1343

Mr. Ameer X. Flippin
2053 Wilson Road
Memphis, TN 38116

RE: Auction No. 58 (WT Docket No. 05-149)
Ameer X. Flippin FCC Form 601 Filing
Ex Parte Motion and Petition to Deny Against Certain FCC Form 601 Long-Form
Applications Filed in Auction No. 58

Dear Mr. Flippin:

This letter addresses two sets of filings you have attempted to make with respect to Auction No. 58, Broadband PCS Spectrum. First, we resolve your attempted filing of what you characterize to be an FCC Form 601 in Auction No. 58, Broadband PCS Spectrum.¹ Second, we address your petition to deny twenty-one of the twenty-three long-form applications filed in Auction No. 58.²

The Form 601 Filing. Under the Commission's rules, the high bidder in an auction must submit a Form 601 application in conformance with the applicable rules and policies governing a particular auction.³ You were neither a participant⁴ nor a winning high bidder in Auction No. 58.⁵ Your submission of bids by facsimile does nothing to change the fact that you were not, in accordance with clearly articulated Commission rules and policies, a participant in Auction No. 58. Since you were not a participant and not a high bidder, your attempt to file an FCC Form 601 is improper, and the purported Form 601 filing is dismissed.

¹ See Letter from Ameer Flippin to John B. Muleta, Chief, Wireless Telecommunications Bureau (received Mar. 1, 2005, via facsimile by the Commission's Gettysburg, PA office).

² See Ex Parte Motion and Petition to Deny Against All Long-Form Applications of Opposing Entities Which Placed Bids Less Than or Equal in Value of Bids Placed By Ameer Flippin, An Individual, in Auction #58, In Accordance With 47 CFR 1.2108; Attached Listing of Long Form Applicants Being Motioned To Deny; By Pro Se Bidder, Ameer Flippin (received Mar. 1, 2005, by the Commission's Gettysburg, PA, office, and received Mar. 24, 2005 by the Commission's Mailroom, Washington, DC).

³ See 47 C.F.R. § 1.2107(c) ("A high bidder that meets its down payment obligations in a timely manner must, within ten (10) business days after being notified that it is a high bidder, submit an additional application (the 'long-form application') pursuant to the rules governing the service in which the applicant is the high bidder.").

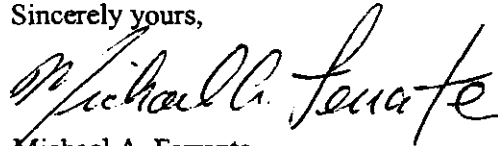
⁴ For the list of applicants that applied to participate in and were found qualified to participate in Auction 58, see Auction of Broadband PCS Spectrum; Status of FCC Form 175 Applications to Participate in Auction No. 58, *Public Notice*, 19 FCC Rcd 24113 (2005); Broadband PCS Spectrum Auction; 35 Bidders Qualified to Participate in Auction No. 58, *Public Notice*, 20 FCC Rcd 496 (2005). See also Letter from Gary D. Michaels, Deputy Chief, Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, to Ameer Flippin, 20 FCC Rcd 1599 (2005) (denying your request for extensions of time to file FCC Form 175 and to make an upfront payment for Auction No. 58, as well as for a 180-day postponement of that auction).

⁵ See Broadband PCS Spectrum Auction Closes; Winning Bidders Announced for Auction No. 58, *Public Notice*, 20 FCC Rcd 3703 (2005).

The Petition to Deny. As noted above, you have petitioned to deny all but three of the twenty-four long-form applications filed in Auction No. 58.⁶ The Commission has repeatedly held that, to establish standing to file a petition to deny an auction application, the petitioner must have participated in the auction itself.⁷ Since, as discussed above, you were not a proper participant in Auction No. 58, you do not have standing to request that the Commission deny the applications of those that did participate in that auction. Your petition to deny, attached hereto, is therefore dismissed.

This action is taken under authority delegated pursuant to Section 0.331 of the Commission's rules.⁸

Sincerely yours,



Michael A. Ferrante
Associate Chief, Mobility Division
Wireless Telecommunications Bureau

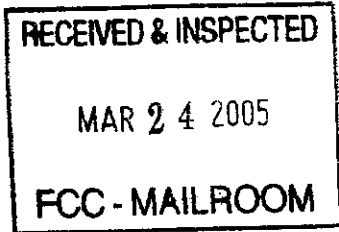
Attachment

⁶ You do not ask the Commission to deny the applications of single-market winning high bidders JDS Wireless, LLC, Vermont Telephone Company, Inc., and Union Telephone Company.

⁷ See, e.g., *High Plains Wireless v. FCC*, 273 F.3d 599, 605 (D.C. Cir. 2002) (ruling that an entity that was not qualified to bid in a particular market in an auction does not have standing to file a petition to deny a winning bidder's application in that market); Applications of Alaska Native Wireless, L.L.C., *Order*, 18 FCC Rcd 11640, 11644-45 ¶¶ 10-11 (2003).

⁸ 47 C.F.R. § 0.331.

FILED AT THE
FEDERAL COMMUNICATIONS COMMISSION



March 17th, 2005

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Attn: Marlene Dortch, Secretary of the Federal Communications Commission

Please find enclosed:

1. An Ex-Parte Motion and Petition To Deny Against All Long-Form Applications of Opposing Entities Which Placed Bids Less Than or Equal To In Value of Bids Placed By Ameer Flippin, An Individual, In Auction No.58, In Accordance With 47 CFR 1.939 and 1.2108; Attached Listing of Long-Form Applicants Being Motioned To Deny; By Pro Se Bidder, Ameer Flippin
2. An Affidavit In Support of Motion
3. Certificate of Mailing

Please file the documents as required by the Code of Federal Regulations.

Thank you,

A handwritten signature in cursive script, appearing to read "Ameer Flippin".

Ameer Flippin
2053 Wilson Road
Memphis, TN 38116
(901)216-0195

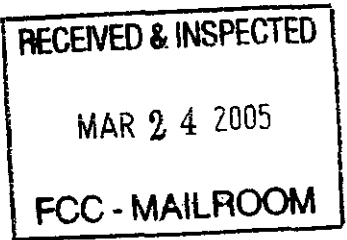
In Re: Ameer Flippin
FRN#: 0012356119

FILED AT THE
FEDERAL COMMUNICATIONS COMMISSION

March 14th, 2005

In the matte of: Ex- Parte Motion and Petition To Deny
Against All Long Forms....., By Ameer Flippin

Attn: All Participants in PCS Broadband Auction No.58
(As Listed on Attached Certificate of Mailing)

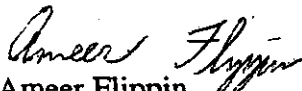


Please find enclosed the following documents which are being
filed at the Federal Communications Commission (FCC):

1. Ex-Parte Motion and Petition To Deny Against All Long-Form Applications
Of Opposing Entities Which Placed Bids Less Than or Equal To In Value of
Bids Placed By Ameer Flippin, an Individual, In Auction No.58, In Accordance
With 47 CFR 1.2108; Attached Listing of Long Form Applicants Being Motioned
To Deny; By Pro Se Bidder, Ameer Flippin
2. Affidavit in Support of Motion and Petition To Deny....;
Attached Certificate of Mailing

Consider this as service of documents as required by the Code of Federal Regulations and
the Federal Rules of Appellate Procedure.

Thank you,


Ameer Flippin
2053 Wilson Road
Memphis, TN 38116
(901)216-0195 cellular

In Re: Ameer Flippin

FILED AT THE FEDERAL COMMUNICATIONS
COMMISSION

AMEER FLIPPIN,
Plaintiff

vs.

FEDERAL COMMUNICATIONS COMMISSION,
CHAIRMAN MICHAEL K. POWELL, WIRELESS
CHIEF JOHN MULETA, DEPUTY CHIEF GARY
MICHEALS, LISA STOVER, SUE SMITH,
and JOHN DOES 1-100.

In Ref: Auction #58
PCS Broadband

AUC 04-58

EX-PARTE MOTION AND PETITION TO DENY AGAINST ALL LONG-FORM
APPLICATIONS OF OPPOSING ENTITIES WHICH PLACED BIDS LESS THAN OR
EQUAL TO IN VALUE OF BIDS PLACED BY AMEER FLIPPIN, AN INDIVIDUAL,
IN AUCTION #58, IN ACCORDANCE WITH 47 CFR 1.2108; ATTACHED LISTING
OF LONG FORM APPLICANTS BEING MOTIONED TO DENY;
BY PRO SE BIDDER, AMEER FLIPPIN

I, Ameer Flippin, the pro se bidder in Auction #58, do hereby, move, ex-parte, to deny against all long-form applications of opposing entities which placed bids less than or equal to in value of bids placed by Ameer Flippin, an individual. This motion is being filed in order to come in compliance with Title 47 of the Code of Federal Regulation, section 1.2108. A "*Petition for Review*" is being filed in the Appellate Court of the District of Columbia. This motion is filed under seal. In examining this case objectively, The Federal Communications Commission should be mindful of the fact that all case law created at the FCC previously, supersedes any revised rulings created by the "Commission." Additionally, case law concerning financing through the Small Business Administration, the Federal Rules of the Appellate Court and the Supreme Court Rules should all be considered when examining Flippin v. the FCC. Please find attached a

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listing of the entities believed to be filing Long-Forms where Ameer Flippin has placed
the high bid.

I declare "UNDER PENALTY OF PERJURY" that the foregoing is true and correct.

Execution Date: March 10th, 2005

Signature Ameer Flippin
Pro Se Plaintiff, Ameer Flippin
2053 Wilson Road
Memphis, TN 38116
(901)216-0195/345-1870

			Listing of Entities To Deny Against Long Form
	1		Alaska Native Broadband 1 License, LLC
	2		Carroll Wireless, LP
	3		Cellco Partnership d/b/a Verizon Wireless
	4		Centennial Michiana License Company LLC
	5		Cook Inlet/VS GSM VII PCS, LLC
	6		Cricket Licensee (Reauction), Inc.
	7		CSM Wireless, LLC
	8		Edge Mobile, LLC
	9		GTE Pacifica, Inc. d/b/a Verizon Pacifica
	10		Lafayette Communications Company L.L.C.
	11		Lynch 3G Communications Corporation
	12		N.E. Colorado Wireless Technologies, Inc.
	13		NSIGHTTEL WIRELESS, LLC
	14		Peter T. Akemann
	15		Punxsutawney Communications, LLC
	16		Royal Street Communications, LLC
	17		Spotlight Media Corp., Inc.
	18		Sungilt Corporation Inc.
	19		The Ezinet Corporation
	20		Vista PCS, LLC
	21		Wirefree Partners III, LLC
			<i>Ames Flippin</i>

CETIFICATE OF MAILING

I, Ameer Flippin, do hereby certify that an "Ex-Parte Motion and Petition To Deny Against All Long-Form Applications," an Affidavit In Support of the Ex-Parte Motion, and a Listing of Entities To Deny Against, were mailed to the following parties associated with Auction No.58, Broadband PCS, coordinated by the Federal Communications Commission (FCC).

1. Conrad N. Bagne
Alaska Native Broadband 1 License, LLC
3900 C Street, Suite 801
Anchorage, AK 99503
2. Carroll Wireless, LP
C/O: Thomas Gutierrez
Lukas, Nace, Gutierrez, & Sachs
1650 Tysons Blvd, Suite 1500
3. Centennial Communications Corp.
C/O: William Roghton, Jr.
3349 Route 138, Bldg. A
Wall, NJ 07719
4. Cook Inlet VS GSM, III PCS, LLC
Mark Kroloff
2525 C Street, Suite #500
Anchorage, AK 99503
5. Shelley L. Spencer
Wirefree Partners III, LLC
6511 Griffith Road, Rm. 3
Laytonsville, MD 20882
6. Michael Samsock
Cellco Partnership d/b/a Verizon Wireless
1300 I Street, NW, Suite 400 West
Washington, DC 20005
7. Bernard Gaiter, Jr.
The Eezinet Corporation
5456 Wooded Way
Columbia, MD 21044
8. Sungilt Corporation, Inc.
C/O: James L. Winston
Rubin, Winston, Diercks, Harris & Cook
1155 Connecticut Avenue, NW, 6th Fl.
Washington, DC 20036
9. Michael C. Gelfand MD
MC G PCS of Morgantown, Inc.
4915 Auburn Ave., Suite # 200
Bethesda, MD 20814
10. CSM Wireless, LLC
C/O: Thomas Gutierrez
Lukas, Nace, Gutierrez & Sachs
1650 Tysons Blvd, Suite # 1500
Mc Lean, VA 22102
11. Suzanne C. Carmel
Verizon Communications Inc.
1300 I Street, NW, Suite # 500 East
Washington, DC 20005
12. John M. Duff, Jr.
Lafayette Communications Co., LLC
Two Embarcadero Center, Suite # 2300
San Francisco, CA 94111
13. Lynch 3 G Communications Corp.
C/O: James Barker
Latham & Watkins LLP
555 Eleventh Street, NW Suite # 1000
Washington, DC 20004
14. Nsighttel Wireless, LLC
C/O: Timothy E. Welch
Hill & Welch
1330 New Hampshire Ave, NW # 113
Washington, DC 20036
15. Rick Cantu
Punxsutawney Communications
1999 Gulfmart, Suite # 514
San Antonio, TX 78217
16. Royal Street Communications
C/O: Paul C. Besozzi
Patton Boggs LLP
2550 M Street, NW
Washington, DC 20037
17. Robert J. Irving
Cricket Licensee (Reauction), Inc.
10307 Pacific Center Court
San Diego, CA 92121
18. Charles C. Townsend
Acadia Broadband, LP
225 Newman Avenue
Rumford, RI 02916

CETIFICATE OF MAILING

19. Roy E. Hadley, Jr.
Airgate PCS Inc.
233 Peachtree Street, NE, Suite # 1700
Atlanta, GA 30303
20. Conrad N. Bagne
Alaska Native Broadband 2 License, LLC
3900 C Street, Suite # 801
Anchorage, AK 99503
21. Mark S. Rutherford
BPS Telephone Company
120 Stewart Street
Bernie, MO 63822
22. Thomas L. Barrett, Jr.
BWP Networks, LP
The Schrafft Center
529 Main Street, Suite # 104
Charlestown, MA 02129
23. Jason Massey
Carolina Capital Partners, LLC
995 Sherman Ave.
Menlo Park, CA 94025
24. Howard Shapiro
Central Texas Telephone Inv., LP
1012 Reilly Street
Goldwaite, TX 76844
25. Edge Mobile
C/O: Thomas Gutierrez
Lukas, Nace, Gutierrez, & Sachs
1650 Tysons Blvd, Suite # 1500
Mc Lean, VA 22102
26. Suzanne C. Carmel
GTE Pacifica, Inc. d/b/a Verizon Pacifica
1300 I Street, NW, Suite # 500 East
Washington, DC 20005
27. Dennis L. O'Neill
CloudNine Wireless, LLC
721 Bell Drive
De Funiak Springs, FL 32433
28. William M. Mounger, II
Continuum LLC
4440 Old Canton Road, Suite #310
Jackson, MS 39211
29. Ricky S. Vegin
CTC Telcom, Inc.
110 North 2nd Avenue
P.O. Box 64
Dallas, WI 54733
30. Stephanie J. Jefferson
Dynamic Wireless, Inc.
4118 NE 57th Avenue
Portland, OR 97218
31. Eldon P. Anderson
Epcorn Wireless, Inc.
P.O. Box 1483
Bursville, MN 55337
32. Jami Huryan
Huryan Family Wireless
1309 SW 81 Terrace
North Lauderdale, FL 33068
33. Jud D. Stewart
JDS Wireless, LLC
509 N. Mc Kean Street
Butler, PA 16001
34. Marissa G. Repp
Lloyd Dowdell Consulting Company
70 Watchung Avenue
Belleville, NJ 07109
35. James McKee
Magvir Communications, LLC
148 Greenwich Avenue
Greenwich, CT 06831


CETIFICATE OF MAILING

- | | |
|--|---|
| 36. James McKee
Magvir Communications, LLC
148 Greenwich Avenue
Greenwich, CT 06831 | 37. Thomas W. Burnett
N.E. Colorado Wireless Technologies
1224 West Platte Avenue
Fort Morgan, CO 80701 |
| 38. Alfred Angelo
Napoleon Communications, LLC
340 North Avenue East
Cranford, NJ 07016 | 39. Peter T. Akemann
12340 Evensong Drive
Los Angeles, CA 90064 |
| 40. Clementine A. Estrada
Preferred Partners, LLC
330 S. Decatur Blvd. #212
Las Vegas, NV 89107 | 41. Donald C. Brittingham
Puerto Rico Telephone Co., Inc.
1515 FD Roosevelt Avenue
Guaynabo, PR 00921 |
| 42. Rose M. Villaseñor
3420 Ocean Park Blvd, Suite #2000
Santa Monica, CA 90405 | 43. Royal Street Communications, LLC
C/O: Paul C. Bessozzi
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037 |
| 44. Mohammad S. Rahman
Rubicon Wireless, LLC
Benjamin Franklin Plaza, #850
One SW Columbia Street
Portland, OR 97258 | 45. Donald L. Herman
Silver Star Telephone Company, Inc.
10 G Street, NE, 7 th Floor
Washington, DC 20002 |
| 46. Paul Heinzl
Switch 2000, LLC
2000 Technology Drive
Mankato, MN 56002 | 47. Ari Q. Fitzgerald
The Eezinet Corporation
555 13 th Street, NW
Washington, DC 20004 |
| 48. Earl Jacobs
Cleartone Corp.
129 Cambridge Place
Brooklyn, NY 11238 | 49. James A. Dwyer, Jr.
Vista PCS, LLC
2100 Electronics Lane
Ft. Myers, FL 33912 |
| 50. Ernie Durst
Spotlight Media Corp., Inc.
4915 Auburn Ave., #200
Bethesda, MD 20841 | 51. John G. Woody
Union Telephone Company
850 N. Highway 414
Mountain View, WY 82939 |
| 52. Shelley L. Spencer
Wirefree Partners III, LLC
6511 Griffith Road
Laytonville, MD 20882 | 53. Jesus Barona
Universal Telecom Wireless
1160 NW 159 Drive
Miami, FL 33169 |
| 54. J. Michele Guite
Vermont Telephone Co.
354 River Street
Springfield, VT 05156 | 55. Christopher O. Mantle
WIDAT Spectrum, LLC
19 Cross Hill Road
Hartsdale, NY 10530 |

I declare "UNDER PENALTY OF PEJURY" that the foregoing is true and correct.

Execution Date March 14th, 2005

Signature


Pro Se Bidder, Ameer Flippin
2053 Wilson Road
Memphis, TN 38116
(901) 216-0195 cellular

FILED AT THE FEDERAL COMMUNICATIONS
COMMISSION

In the Matter of:

Ameer Flippin, as a Pro Se Winning Bidder, in Auction #58.

AMEER FLIPPIN,
Plaintiff

vs.

FEDERAL COMMUNICATIONS COMMISSION,
CHAIRMAN MICHAEL K. POWELL, WIRELESS
CHIEF JOHN MULETA, DEPUTY CHIEF GARY
MICHEALS, LISA STOVER, SUE SMITH,
and JOHN DOES 1-100.

In Ref: Auction #58
PCS Broadband

AUC 04-58

RECEIVED & INSPECTED

MAR 24 2005

FCC - MAILROOM

**AFFIDAVIT IN SUPPORT OF THE
EX-PARTE MOTION AND PETITION TO DENY AGAINST ALL LONG-FORM
APPLICATIONS OF OPPOSING ENTITIES WHICH PLACED BIDS LESS
THAN OR EQUAL TO IN VALUE OF BIDS PLACED BY AMEER FLIPPIN, AN
INDIVIDUAL, IN AUCTION #58, IN ACCORDANCE WITH 47 CFR 1.939 AND
1.2108; ATTACHED LISTING OF LONG FORM APPLICANTS BEING
MOTIONED TO DENY; BY PRO SE BIDDER, AMEER FLIPPIN**

I, Ameer Flippin, the pro se bidder in Auction #58, do hereby, file this Affidavit In Support of "*The Ex-parte Motion and Petition To Deny Against All Long-Form Applications of Opposing Entities Which Placed Bids Less Than or Equal To In Value of Bids*" placed by Ameer Flippin, as an individual. This motion is being filed in order to be in compliance with Title 47 of the Code of Federal Regulation, sections 1.939, 1.2108. "*Petitions for Review*" are being prepared for filing at the Federal Communications Commission and in the U.S. Circuit Court of Appeals in the District of Columbia.

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47 CFR Ch.1 (10-1-04 Edition), subsection 1.939 partially reads as follows:

1.939 Petitions to deny.

(a) *Who may file.* Any party in interest may file with the Commission a petition to deny any application listed in a Public Notice as accepted for filing whether as filed originally or upon major amendment as defined in 1.929 of this part.

(1) *For auctionable license applications, petitions to deny and related pleadings are governed by the procedures set forth in 1.2108 of this part....*

(b) *Filing of petitions.* Petitions to deny and related pleadings may be filed electronically via ULS. Manually filed petitions to deny must be filed with the Office of the Secretary, 445 Twelfth Street, SW, Room TW-B204, Washington, DC 20554. Manually filed petitions to deny must be filed with the Office of the Secretary, 1919 M Street, NW, Washington, DC 20554. Attachments to manually filed applications may be filed on a standard 3 1/4" magnetic diskette formatted to be readable by high density floppy drives

(d) *Content.* A petition to deny must contain specific allegations of fact sufficient to make a prima facie showing that the petitioner is a party in interest and that a grant of the application would be inconsistent with the public interest, convenience and necessity. Such allegations of fact, except for those of which official notice may be taken, shall be supported by affidavit of a person or person with personal knowledge thereof.

Document Time Line and

Factual Information Sufficiently Supporting Denial of Long-Forms

Date

Documents Filed and Supporting Information

1. December 27th, 2004

a) Ex-Parte Motion and Petition for a Time Extension, Waiver, Amendment, and Modification of Rules in PCS/ Broadband Auction #58....

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2. January 4th, 2005

a) Paper Filing of Short Form 175 by Ameer Flippin, as a Pro Se Individual Bidder, with Opening Bids Attached.

3. January 20th, 2005

a) Ex-Parte Motion and Petition for Reconsideration of Ameer Xenos Flippin, in a Personal Capacity, as a Bidder in Broadband PCS Auction #58, and Designation of Case for Hearing.

4. January 24th, 2005

a) Ex-Parte Notice of Appeal To The U.S. Circuit Court of Appeals In The District of Columbia of All Decisions and Orders Adversely Affecting Ameer Xenos Flippin,

b) Ex-Parte Motion and Petition To the U.S. Court of Appeals To Stay/Suspend Auction #58, Pending Common Law "Review De Novo" of All Decisions and Orders By the Federal Communications Commission Adversely Affecting Ameer Xenos Flippin in "Broadband PCS Auction #58".....

5. January 25th, 2005

a) Gary D. Micheals, Wireless Deputy Chief, issues a response as the delegated authority on Motions filed on December 27th, 2005 by Ameer Flippin, (Re: Request for Extension of Time To File a Short-Form Application, To Submit an Upfront Payment and To Postpone Auction No.58) .

b) Order (Per Curiam) of Denial of "Ex-Parte Motion and Petition for Stay/Suspension of Auction #58, Pending Review De Novo" issued by Panel of Two Judges (Edwards and Garland).

6. January 26th, 2005

a) Ameer Flippin, as a Pro Se Bidder, in a Personal Capacity, begins participation in Auction #58, by faxing through bids from the University of Memphis. I, Ameer Flippin, continued placing bids consistently and almost daily through Round 65 on February 10th, 2005, when I, Ameer Flippin, was arrested while faxing through bids and held until February 15th, 2005, when the auction ended.

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7. January 27th, 2005

a) Kathryn Garland, Wireless Deputy Chief, issues a response to "Auction #58 Paper Filing of Short Form 175" denying participation in Auction #58 to Ameer Flippin, as a pro se bidder in an individual capacity.

8. February 10th, 2005

a) Ameer Flippin, pro se bidder, in an individual capacity, is arrested while faxing through bids during Auction #58, Round #65 at the University of Memphis.

b) Gary Michaels, Wireless Deputy Chief, responds to Freedom of Information Act ("FOIA") request by Ameer Flippin for two documents; 1) Janet Fitzpatrick Moran's Request to Modify Post-Auction Payment Procedures for Auction No.58, filed on November 19, 2004; 2) Clearstone's Request for Waiver and Leave to Amend, filed on December 8, 2004.

9. February 15th, 2005

a) Ameer Flippin, pro se bidder, in an individual capacity is released from jail by the local Shelby County Sheriffs Department.

b) Auction #58 closes in Round 91.

10. February 16th, 2005

a) Second Release of Gary D. Micheals, Wireless Deputy Chief, issues a response as the delegated authority on Motions filed on December 27th, 2005 by Ameer Flippin, (Re: Request for Extension of Time To File a Short-Form Application, To Submit an Upfront Payment and To Postpone Auction No.58), dated February 16th, 2005.

11. February 21st, 2005

a) Ameer Flippin files several documents with the FCC:

- i. FCC 601 Main Form
- ii. FCC 601 Form Schedule B.
- iii. FCC 602 Main Form
- iv. Ex-Parte Motion to Deny Against All Long-Forms...
- v. Ex-Parte Motion for Waiver of All Initial, Interim, and Final Payments....
- vi. Ex-Parte Motion for "Installment Payments...."
- vii. Ameer Flippin's Round 65 High Bids + Adjustments...

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The sequence of events during Auction #58 supports "*Review De Novo*" by the Federal Communications Commission and the U.S. Circuit Court of Appeals in the District of Columbia. Motions and bids were filed throughout Auction #58, by pro se bidder Ameer Flippin. Several motions were never considered by the Federal Communications Commission (FCC) and the FCC Administrative Law Judges. Additionally, An Emergency "*Motion for Stay/Suspension of Auction #58*" was filed in the U.S. Circuit Court of Appeals in the District of Columbia, but ultimately was denied. As a result of the Orders issued by the Circuit Court of Appeals, I, Ameer Flippin, participated in Auction No. 58. "*Anti-trust and Conspiracy*" are elements to be examined by the FCC in consideration of the Motions to Deny Long-Forms. The fact that Ameer Flippin, a pro se bidder in Auction No.58, was arrested while faxing through bids to the FCC strongly suggests "conspiracy" and supports the argument of the "*Legal Right*" to participate in Auction No. 58. Consideration should be given to the timing of release of the pro se bidder, Ameer Flippin, from the Shelby County Jail and the correlation with the "*Closing of Auction No. 58, in Round No. 91.*" The Executive Branch continues to exercise executive powers in terminating FCC staff in order to curb the "*legal civil and criminal liabilities*" of the United States Government. An examination of a pro se bidder's *legal rights* supported by U.S. Code, U.S. Statute, Federal Rules of Civil and Criminal Procedure, Case Law, and the Constitution of the United States should be implemented. Additionally, other factors which continue to directly affect Ameer Flippin are the U.S. Military, President George W. Bush, U.S. Middle East Policy, Senators, and Congressmen. A government conspiracy and plan of "*entrapment*" continue to be executed against Ameer Flippin in the United States' implementation of *foreign policy*.

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I, Ameer Flippin, merely wish to exercise basic rights as a citizen of the United States and have no interest in U.S. foreign policy. I, Ameer Flippin, have no interest in developing relationships with the Executive Branch, the U.S. Military, the Senate, or the Congress. The detainment and surveillance of my person is "illegal" and violates "Civil and Constitutional Rights." President George W. Bush's contact with the FCC in reference to my activity as a private citizen is a violation of "Sherman Anti-Trust Laws," thus supporting the argument of conspiracy. Contact with local Law Enforcement, local Municipal Government, and local Shelby County Government by the Executive Branch in reference to Ameer Flippin is a violation of "Civil and Criminal Law." On March 11th, 2005, President George W. Bush will visit Memphis, Tennessee. It is believed that travel was created in order to communicate with local government entities and officials concerning Ameer Flippin and the United States implementation of International Policy. The above time line and facts support a "Denial of Long-Forms" in Auction No. 58.

Additionally, 47 CFR 1.2108 addresses a "Denial of Long-Forms" and partially reads as follows:

1.2108 Procedures for filing petitions to deny against long-form applications.

(a) Where petitions to deny are otherwise provided for under the Act or the commission's Rules, and unless other service specific procedures for the filing of such petitions are provided for elsewhere in the Commission's Rules, the procedures in this section shall apply to the filing of petitions to deny the long-form applications of winning bidders.

(b) Within a period specified by Public Notice and after the Commission by Public Notice announces that long-form applications have been accepted for filing, petitions to deny such applications may be filed. The period for filing petitions to deny shall be no more than ten (10) days. The appropriate licensing Bureau, within its discretion, may in exigent circumstances, reduce this period of time to no less than five (5) days. Any such petitions must contain allegations of

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COMMISSION

fact supported by affidavit of a person or persons with personal knowledge thereof.

In an effort to comply with the Code of Federal Regulations, this affidavit is being filed at the Federal Communications Commission (FCC). This affidavit shows that "*Ameer Flippin is a party in interest and that a grant of the application would be inconsistent with the public interest, convenience and necessity.*"

I declare "UNDER PENALTY OF PERJURY" that the foregoing is true and correct.

Execution Date: March 10th, 2005

Signature *Ameer Flippin*
Pro Se Plaintiff, Ameer Flippin
2053 Wilson Road
Memphis, TN 38116
(901)216-0195

CETIFICATE OF MAILING

I, Ameer Flippin, do hereby certify that an "Ex-Parte Motion and Petition To Deny Against All Long-Form Applications," an Affidavit In Support of the Ex-Parte Motion, and a Listing of Entities To Deny Against, were mailed to the following parties associated with Auction No.58, Broadband PCS, coordinated by the Federal Communications Commission (FCC).

1. Conrad N. Bagne
Alaska Native Broadband 1 License, LLC
3900 C Street, Suite 801
Anchorage, AK 99503
2. Carroll Wireless, LP
C/O: Thomas Gutierrez
Lukas, Nace, Gutierrez, & Sachs
1650 Tysons Blvd, Suite 1500
3. Centennial Communications Corp.
C/O: William Roghton, Jr.
3349 Route 138, Bldg. A
Wall, NJ 07719
4. Cook Inlet VS GSM, III PCS, LLC
Mark Kroloff
2525 C Street, Suite #500
Anchorage, AK 99503
5. Shelley L. Spencer
Wirefree Partners III, LLC
6511 Griffith Road, Rm. 3
Laytonsville, MD 20882
6. Michael Samscock
Cellco Partnership d/b/a Verizon Wireless
1300 I Street, NW, Suite 400 West
Washington, DC 20005
7. Bernard Gaiter, Jr.
The Eezinet Corporation
5456 Wooded Way
Columbia, MD 21044
8. Sungilt Corporation, Inc.
C/O: James L. Winston
Rubin, Winston, Diercks, Harris & Cook
1155 Connecticut Avenue, NW, 6th Fl.
Washington, DC 20036
9. Michael C. Gelfand MD
MC G PCS of Morgantown, Inc.
4915 Auburn Ave., Suite # 200
Bethesda, MD 20814
10. CSM Wireless, LLC
C/O: Thomas Gutierrez
Lukas, Nace, Gutierrez & Sachs
1650 Tysons Blvd, Suite # 1500
Mc Lean, VA 22102
11. Suzanne C. Carmel
Verizon Communications Inc.
1300 I Street, NW, Suite # 500 East
Washington, DC 20005
12. John M. Duff, Jr.
Lafayette Communications Co., LLC
Two Embarcadero Center, Suite # 2300
San Francisco, CA 94111
13. Lynch 3 G Communications Corp.
C/O: James Barker
Latham & Watkins LLP
555 Eleventh Street, NW Suite # 1000
Washington, DC 20004
14. Nsighttel Wireless, LLC
C/O: Timothy E. Welch
Hill & Welch
1330 New Hampshire Ave, NW # 113
Washington, DC 20036
15. Rick Cantu
Punxsutawney Communications
1999 Gulfmart, Suite # 514
San Antonio, TX 78217
16. Royal Street Communications
C/O: Paul C. Besozzi
Patton Boggs LLP
2550 M Street, NW
Washington, DC 20037
17. Robert J. Irving
Cricket Licensee (Reauction), Inc.
10307 Pacific Center Court
San Diego, CA 92121
18. Charles C. Townsend
Acadia Broadband, LP
225 Newman Avenue
Rumford, RI 02916

CETIFICATE OF MAILING

19. Roy E. Hadley, Jr.
Airgate PCS Inc.
233 Peachtree Street, NE, Suite # 1700
Atlanta, GA 30303
20. Conrad N. Bagne
Alaska Native Broadband 2 License, LLC
3900 C Street, Suite # 801
Anchorage, AK 99503
21. Mark S. Rutherford
BPS Telephone Company
120 Stewart Street
Bernie, MO 63822
22. Thomas L. Barrett, Jr.
BWP Networks, LP
The Schrafft Center
529 Main Street, Suite # 104
Charlestown, MA 02129
23. Jason Massey
Carolina Capital Partners, LLC
995 Sherman Ave.
Menlo Park, CA 94025
24. Howard Shapiro
Central Texas Telephone Inv., LP
1012 Reilly Street
Goldwaite, TX 76844
25. Edge Mobile
C/O: Thomas Gutierrez
Lukas, Nace, Gutierrez, & Sachs
1650 Tysons Blvd, Suite # 1500
Mc Lean, VA 22102
26. Suzanne C. Carmel
GTE Pacifica, Inc. d/b/a Verizon Pacifica
1300 I Street, NW, Suite # 500 East
Washington, DC 20005
27. Dennis L. O'Neill
CloudNine Wireless, LLC
721 Bell Drive
De Funiak Springs, FL 32433
28. William M. Mounger, II
Continuum LLC
4440 Old Canton Road, Suite #310
Jackson, MS 39211
29. Ricky S. Vegin
CTC Telcom, Inc.
110 North 2nd Avenue
P.O. Box 64
Dallas, WI 54733
30. Stephanie J. Jefferson
Dynamic Wireless, Inc.
4118 NE 57th Avenue
Portland, OR 97218
31. Eldon P. Anderson
Epcorn Wireless, Inc.
P.O. Box 1483
Bursville, MN 55337
32. Jami Huryan
Huryan Family Wireless
1309 SW 81 Terrace
North Lauderdale, FL 33068
33. Jud D. Stewart
JDS Wireless, LLC
509 N. Mc Kean Street
Butler, PA 16001
34. Marissa G. Repp
Lloyd Dowdell Consulting Company
70 Watchung Avenue
Belleville, NJ 07109
35. James McKee
Magvir Communications, LLC
148 Greenwich Avenue
Greenwich, CT 06831

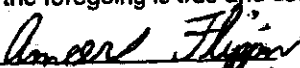
CETIFICATE OF MAILING

- | | |
|--|---|
| 36. James McKee
Magvir Communications, LLC
148 Greenwich Avenue
Greenwich, CT 06831 | 37. Thomas W. Burnett
N.E. Colorado Wireless Technologies
1224 West Platte Avenue
Fort Morgan, CO 80701 |
| 38. Alfred Angelo
Napoleon Communications, LLC
340 North Avenue East
Cranford, NJ 07016 | 39. Peter T. Akemann
12340 Evensong Drive
Los Angeles, CA 90064 |
| 40. Clementine A. Estrada
Preferred Partners, LLC
330 S. Decatur Blvd. #212
Las Vegas, NV 89107 | 41. Donald C. Brittingham
Puerto Rico Telephone Co., Inc.
1515 FD Roosevelt Avenue
Guaynabo, PR 00921 |
| 42. Rose M. Villasenor
3420 Ocean Park Blvd, Suite #2000
Santa Monica, CA 90405 | 43. Royal Street Communications, LLC
C/O: Paul C. Bessozzi
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037 |
| 44. Mohammad S. Rahman
Rubicon Wireless, LLC
Benjamin Franklin Plaza, #850
One SW Columbia Street
Portland, OR 97258 | 45. Donald L. Herman
Silver Star Telephone Company, Inc.
10 G Street, NE, 7 th Floor
Washington, DC 20002 |
| 46. Paul Heinzel
Switch 2000, LLC
2000 Technology Drive
Mankato, MN 56002 | 47. Ari Q. Fitzgerald
The Eezinet Corporation
555 13 th Street, NW
Washington, DC 20004 |
| 48. Earl Jacobs
Cleartone Corp.
129 Cambridge Place
Brooklyn, NY 11238 | 49. James A. Dwyer, Jr.
Vista PCS, LLC
2100 Electronics Lane
FL Myers, FL 33912 |
| 50. Emie Durst
Spotlight Media Corp., Inc.
4915 Auburn Ave., #200
Bethesda, MD 20841 | 51. John G. Woody
Union Telephone Company
850 N. Highway 414
Mountain View, WY 82939 |
| 52. Shelley L. Spencer
Wirefree Partners III, LLC
6511 Griffith Road
Laytonsville, MD 20882 | 53. Jesus Barona
Universal Telecom Wireless
1160 NW 159 Drive
Miami, FL 33169 |
| 54. J. Michele Guite
Vermont Telephone Co.
354 River Street
Springfield, VT 05156 | 55. Christopher O. Mantle
WIDAT Spectrum, LLC
19 Cross Hill Road
Hartsdale, NY 10530 |

I declare "UNDER PENALTY OF PEJURY" that the foregoing is true and correct.

Execution Date March 14th, 2005

Signature


Pro Se Bidder, Ameer Flippin
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Memphis, TN 38116
(901) 216-0195 cellular